UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

JO L. PETERSON for H.B. III, a minor,)))
Plaintiff,)
v.)) JUDGMENT
) No. 7:10-CV-39-FL
MICHAEL J. ASTRUE, Commissioner of Social Security,))
Defendant.)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the parties' cross-motions for judgment on the pleadings and the memorandum and recommendation entered by the United States Magistrate Judge, to which plaintiff timely objected and defendant responded.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered January 26, 2011, and for the reasons set forth more specifically therein, that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. The matter is remanded to the Commissioner for further proceedings consistent with the court's order.

This Judgment Filed and Entered on January 26, 2011, and Copies To:

Lawrence Wittenberg (via CM/ECF Notice of Electronic Filing) Kathleen C. Buckner (via CM/ECF Notice of Electronic Filing)

January 26, 2011

DENNIS P. IAVARONE, CLERK
/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk